

REMARKS

Claims 1-25 and 27 currently appear in this application. The Office Action of September 7, 2006, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Rejections under 35 U.S.C. 112

Claims 1-6 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

This rejection is respectfully traversed. Claim 1 has been amended to delete the "optional sorptive media", and new claim 27 has been submitted as an independent claim reciting the use of ruthenium and these other sorptive media.

It is respectfully submitted that claim 27 does not raise new issues because the limitations of claim 27 have been considered in claim 1.

Art Rejections

Claims 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Ciampi et al, U.S. Published application No. 2002/0121482.

This rejection is respectfully traversed. Ciampi states at paragraph 0072, "In some of the embodiments of the present invention, in addition to the iron salt, a metal oxide is added to the mixture." That is, in addition to the metal salt, which may be ruthenium oxide, the mixture contains an iron salt. In the presently claimed invention, no iron salt is present in the mixture. At paragraph 0216, Ciampi states that steps involving oxidation, adsorption and precipitation can be carried out by ferrate in removing arsenic from water. It is clear from paragraph 0216 that Ciampi uses ferrate, not ruthenium, to remove arsenic from water. Accordingly, Ciampi does not anticipate the herein claimed invention. Moreover, new claim 27 does not contain the recitation "other sorptive material", and the materials recited in claim 27 do not include iron salts.

Claims 6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ciampi.

This rejection is respectfully traversed. Ciampi discloses treating water containing iron salts with compounds including ruthenium oxides to remove arsenic from water. As noted above, it is the ferrate that Ciampi uses to remove arsenic from water. It is immaterial what ionic form of arsenic is removed from water, because the present claims do not include iron salts in the water.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ciampi further in view of Benjamin et al., U.S. Patent No. 5,911,882.


This rejection is respectfully traversed. There is nothing in Ciampi that teaches or suggests using ruthenium salts without the presence of ferrate for removing arsenic from water. Benjamin adds nothing to Ciampi, as Benjamin merely discloses that it is known to support an arsenic absorbent on a support material such as sand. Ciampi does not disclose or suggest using ruthenium to remove arsenic from water, and Benjamin does not teach or suggest using ruthenium to remove arsenic from water.

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Reply to Office Action of September 7, 2006

In view of the above, it is respectfully submitted  
that the claims are now in condition for allowance, and  
favorable action thereon is earnestly solicited.

Respectfully submitted,

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